

PATENT COOPERATION TREATY

(4)
English Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:		PCT WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)	
		Date of mailing (day/month/year) 11. 1. 2005	
Applicant's or agent's file reference KO-12-004PCT		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/JP2004/017238	International filing date (day/month/year) 19. 11. 2004	Priority date (day/month/year) 20. 11. 2003	
International Patent Classification (IPC) or both national classification and IPC			
Applicant KOMATSU Kiyoshi			

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2004/017238

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	3, 4	YES
	Claims	1, 2, 5-15	NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 8-41970 A (Takiron Co., Ltd.)

1996. 02. 13, Par. Nos. [0035] to [0039]; Figs. 3 to 4, 11 to 13

Document 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 95138/1990 (Laid-open No. 53876/1992) (Kenji KATSUMATA)

1992. 05. 08, Page 5, line 3 to page 6, line 8

Document 3: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 142635/1975 (Laid-open No. 55656/1977) (Kabushiki Kaisha Chitose Shokai)

1977.4.21, Page 6, line 12 to page 7, line 3; Fig. 7

Document 4: JP 3063807U (Kabushiki Kaisha San'yu),

1999.11.30, Par. No. [0006] ; Fig. 1

Document 5: JP 10-266325 A (Duskin Co., Ltd.),

1998.10. 6, Par. No. [0023]; Fig. 5

Invention concerning scope of claim 1,2,6,8,10,12,14 does not comprise inventive step by the document 1 quoted in international search report (paragraph "0035" - "0039", figure three or four, figure 11-13) and the document 2 quoted in international search report (specification Page 5 Line 3 - Page 6 Line 11). A bladder of invention mentioned in documents 1, like filtration member mentioned in documents 2, is easy for adhesion of oil to compose in possible material in the plural strata for a person skilled in the art.

Invention concerning scope of claim 5, 11 does not comprise inventive step by the document 1, document 2 and document 3 quoted in international search report (specification page 6 Line 12 - Page 7 Line 3, figure 7).

It is easy for a person skilled in the art to establish a handle bore of a strainer mentioned in documents 3, in a basal part of a bladder of invention mentioned in documents 1.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: V

Invention concerning scope of claim 7,13 does not comprise inventive step by documents 1, documents 2 and documents 4 quoted in international search report (six paragraph, figure 1). It is easy for a person skilled in the art to adopt the collection of synthetic fibers net which are the material that adhesion of oil mentioned in, documents 4 replacing with a bladder of invention mentioned in documents 1 is possible.

Invention concerning scope of claim 9,15 does not comprise inventive step by documents 1, documents 2 and documents 5 quoted in international search report (0023 paragraph, figure 5). It is easy for a person skilled in the art that making size of mesh of a bladder of invention mentioned in documents 1 to 0.5-4mm like a net bag mentioned in documents 5, because there are not 1-5mm of invention concerning scope of claim 9,15 of application concerned and a noticeable difference to lose.

Invention concerning scope of claim 3,4 is not mentioned in documents of the gap quoted in international search report either, then it is not known between the people who skilled in the art.